

ASSEMBLY BILL

No. 1645

Introduced by Assembly Member Torlakson

January 6, 1998

An act to amend Section 3030 of the Family Code, relating to children.

LEGISLATIVE COUNSEL'S DIGEST

AB 1645, as introduced, Torlakson. Children.

Existing law prohibits registered sex offenders and persons convicted of certain other offenses against minors, as specified, from being granted custody of, or unsupervised visitation with, a child, unless the court finds that there is no significant risk to the child.

This bill would require the court to state its reasons in writing or on the record when granting custody or unsupervised visitation.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3030 of the Family Code is
2 amended to read:
3 3030. (a) No person shall be granted custody of, or
4 unsupervised visitation with, a child if the person is
5 required to be registered as a sex offender under Section
6 290 of the Penal Code where the victim was a minor, or
7 if the person has been convicted under Section 273a, 273d,

1 or 647.6 of the Penal Code, unless the court finds that
2 there is no significant risk to the child *and states its*
3 *reasons in writing or on the record.*

4 (b) No person shall be granted custody of, or visitation
5 with, a child if the person has been convicted under
6 Section 261 of the Penal Code and the child was
7 conceived as a result of that violation.

8 (c) The court may order child support that is to be paid
9 by a person subject to subdivision (a) or (b) to be paid
10 through the district attorney's office, as authorized by
11 Section 4573 of the Family Code and Section 11475.1 of
12 the Welfare and Institutions Code.

13 (d) The court shall not disclose, or cause to be
14 disclosed, the custodial parent's place of residence, place
15 of employment, or the child's school, unless the court
16 finds that the disclosure would be in the best interests of
17 the child.

